

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

LUKE ADAM STANTON, SR.	§	
VS.	§	CIVIL ACTION NO. 1:16cv409
T. ALLEN, ET AL.	§	

**ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Luke Adam Stanton, Sr., an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed the above-styled civil rights lawsuit against T. Allen, Christopher Carter and Lorie Davis. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and applicable orders of this court.

The defendants filed a motion to dismiss. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion that the objections are without merit. Plaintiff's allegations fail to demonstrate personal involvement on the part of the defendants or that any of the defendants implemented a constitutionally deficient policy which caused the harm he suffered. In addition, the magistrate judge correctly concluded the Eleventh Amendment bars claims for money damages against the defendants in their official capacities. Plaintiff's objections are therefore without merit.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and the conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is

ADOPTED as the opinion of the court. The motion to dismiss (doc. no. 32) is **GRANTED**. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

SIGNED this the **16** day of **February, 2022**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge